

1 *2/20/08*
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8 Attorney for Debtor: PHILIP R. CASTIGLIONE

9 UNITED STATES BANKRUPTCY COURT

10 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

11 In re:

12 **PHILIP R. CASTIGLIONE**

13 Debtor,

14 CHARLOTTE MODHAL,

15 Movant,

16 vs.

17 **PHILIP R. CASTIGLIONE**

18 Respondent,

19 Case No.: 2007-11278-B-7

20 Chapter 7

21 **No Docket Control Number Stated**

22 **DECLARATION OF PHILIP
CASTIGLIONE IN RESPONSE TO
MOTION FOR RELIEF FROM STAY**

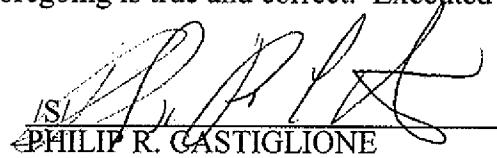
23 DATE: November 21, 2007
24 TIME: 10:00 am
25 PLACE: U.S. Bankruptcy Court
26 2500 Tulare Street
27 Fresno, CA
28 Dept. B, Courtroom 12

29 I, PHILIP R. CASTOGLIONE, declare as follows:

30 1. I deny each and every allegation of Movant's motion . Including but not limited to the
31 Introduction Part 2 starting on page 7, Part 3, Part 4 on page 9 and Part 5 on page 10.
32 4. The Movant requested that the trustee get extra time to file an adversary proceeding.
33 Then the Movant failed to file an adversary proceeding, which would be the proper
34 forum to litigate Movants spurious allegations.
35 5. If the court believes that relief should be granted, then I request an evidentiary hearing.
36 6. Wherefore I request that this Motion for Relief from Stay be dismissed, that I the debtor
37 receive damages, costs and attorney fees and such other relief as the Court deems fit.

1 I declare that the matter stated in this Declaration are true and correct and if sworn as a witness,
2 I would and could competently testify to the above facts.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed on October
4 5, 2007, at Fresno, California.


PHILIP R. CASTIGLIONE

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